

DETAILED ACTION

1. This action is issued in response to applicant filed request for continued examination (RCE) on 03/27/2008.
2. Claims 1, and 9 have been amended. No claims were added. Claim 8 was canceled.
3. Claims 1 – 7, and 9 – 16 are pending in this application.

Response to Arguments

4. Applicant's arguments with respect to amended claims 1, and 9 have been considered but are moot in view of the new ground(s) of rejection.

Continued Examination Under 37 CFR 1.114

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/11/2006 has been entered.

Claim - 35 USC § 101

6. The examiner interprets the term “computer-readable medium” (specification [0006]) as excluding transmission media, signals, or any form of energy, such that the

claim clearly falls within statutory category of invention as required under the terms of 35 U.S.C. 101.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1 – 7, and 9 – 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, and 9 recite “the list consisting...”. This limitation lacks antecedent basis in the claims.

Claims 1, and 9 also recite the limitation “allows” is indirect, suggest optionally, and passive which renders any recitation claimed after not be given patentable weight. Therefore, it is unclear what Applicant’ intended metes and bounds of the claims are, since the claims appear to cover anything and everything that does not prohibit actions from occurring.

Office personnel must rely on the applicant’s disclosure to properly determine the meaning of “allows” in the claims. Limitations appearing in the specification but not recited in the claim are not read into the claim; therefore, in this case, the recitation of “allows” as interpreted in light of the specification provide the “functionality” or “the capability” of the system to perform the steps without definite disclosure limiting or

excluding any alternative, negative, or even all together suggest actually performing or implementing the functionality that is database management system is capable of.

The computer being allowed to perform a function does not mean that it will ever actually perform that functionality (i.e. "to allow" should be clarified and changed to a more definite term).

Appropriate correction is required.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. Claims 1 – 7, and 9 – 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan (US Patent No. US 6,546,393 B1, issued: April 8, 2003) in view of Levesque et al. (Levesque hereinafter) (US 7,113,934).

Regarding Claims 1, Khan discloses a method of using a plurality of bookmarks to manage network objects within network hierarchy in a network management system, the network hierarchy organized into a network management map having a plurality of layers, the method comprising the steps of:

associating each bookmark with a network object (Col. 21, lines 40 – 44, Abstract; Khan), in accordance with the object's position within the network hierarchy (Col. 11, lines 15 – 20, Khan), the network object being selected from the list consisting of network elements, and group of network elements (Col. 11, lines 63 – 67; Col. 12, lines 1 – 3; Khan). However, Khan does not expressly disclose: line cards, and ports. On the other hand, Levesque discloses object's position within the network hierarchy (Col. 12, lines 25 – 33, Levesque), the network object being selected from the list consisting of network elements (Col. 16, lines 52 – 58, Levesque), groups of network elements (Col. 15, lines 46 – 48, Levesque), line cards (Col. 12, lines 25 – 33, Levesque), and ports (Col. 16, lines 64 – 67, Levesque). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Khan by incorporating step of selecting from a list consisting of network elements, groups of network elements, line cards, and ports, in the same conventional manner as disclosed by Levesque. Skilled artisan would have found it motivated to use such a modification in

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order to provide very high reliability requirements; geographically extended supersystem; field upgrades of elements; nonstandard features from multiple manufacturers; and long in-service lifetime (see Col. 5, lines 50 – 57, Levesque).

Furthermore, the combination of Khan in view of Levesque (Khan/Levesque hereinafter) discloses:

organizing bookmarks corresponding to a layer of a network management map into a bookmark group (Col. 11, lines 63 – 67; Col. 12, lines 1 – 3; Khan; and Col. 7, lines 15 – 23; Col. 12, lines 25 – 33, Levesque);

organizing a plurality of bookmark groups into a hierarchy that corresponds to the network hierarchy (Col. 11, lines 15 – 20, Khan; and Col. 12, lines 25 – 33, Levesque);

storing the bookmarks and bookmark groups as a stored list (Col. 19, lines 25 – 34, Khan);

associating the stored bookmark list with a unique operator (Col. 23, lines 32 – 40, “...every bookmark account may be password protected. This means that users must begin by logging into their account...”; Khan);

retrieving the stored bookmark list when the operator logs onto the network management system (Col. 23, lines 32 – 40; Col. 19, lines 25 – 34; “...a new window will open up with all of the user’s bookmarks visible...”; Khan);

displaying the stored bookmark list in a graphical user interface to allow the operator to manage the network objects (Col. 23, lines 32 – 40; Col. 19, lines 25 – 34; “...a new window will open up with all of the user’s bookmarks visible...”; Khan; and Abstract; Levesque);

responding to the operator's selection of bookmarks from the stored bookmark list by providing information to allow the operator to manage network objects corresponding to the stored bookmark list (Col. 17, lines 51 – 60, Khan; and Abstract; Levesque); and

responding to the operator's management of a currently displayed network object that does not correspond to a bookmark in the stored bookmark list by adding a new bookmark to the stored bookmark list (Col. 17, lines 51 – 60, Khan; and Abstract; Levesque).

Regarding Claim 2, Khan/Levesque discloses method wherein the step of displaying the stored bookmark list displays the bookmark list, the step of displaying the bookmark list initiated when the operator selects a bookmarks submenu contained within a menu in the graphical user interface (Fig. 6, items 602, and 612, Khan). However, Khan/Levesque does not expressly disclose displaying such bookmark list as a drop down menu. Kahn discloses displaying lists as a drop down menu (Fig. 6, item 608 and Fig. 12, items 1208, 1206, and 1210, Khan). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the Khan's drop down menu for displaying to the step of displaying the bookmark list disclosed by the system of Khan/Levesque. Skilled artisan would have been motivated to do so, to provide users with a simple and easy to user menu structure.

Regarding Claim 3, Khan/Levesque discloses a method wherein the drop down menu further includes a menu command by which the operator can issue instructions to add a new bookmark to the stored bookmark list (Fig. 6, items 602, and 612, Khan; and also see - Fig. 6, item 608 and Fig. 12, items 1208, 1206, and 1210, Khan).

Regarding Claim 4, Khan/Levesque discloses method further comprising the steps of:

if the operator issues instructions to manage the bookmarks, providing a bookmark management window, the bookmark management window including a temporary bookmark list initially identical to the stored bookmark list (Fig. 7, Col. 15, lines 34 – 38, Khan);

if the operator issues instructions to create a bookmark group, creating a bookmark group (Col. 11, lines 15 – 20, and 25 – 2, Khan);

if the operator issues instructions to assign one of the bookmarks in the temporary bookmark list, assigning the one of the bookmarks in the temporary bookmark list to the bookmark group (Col. 13, lines 7 – 8, and 18 – 20; wherein the step of creating a new node in the category tree corresponds to the step of assigning one of the bookmarks in the temporary bookmark list claimed; Khan); and

if the operator issues instructions to save the temporary bookmark list, storing the temporary bookmark list as the stored bookmark list (Col. 13, lines 21 – 23; the addition is then finalized and included in the site directory; Khan).

Regarding Claim 5, Khan/Levesque discloses method wherein the step of displaying the stored bookmark list comprises displaying the stored bookmark list as part of a drop down menu, the drop down menu further including a command by which the operator can issue instructions to manage the bookmarks (Fig. 7, and 9, item 902, Col. 15, lines 34 – 38, and 61 – 67, Khan).

Regarding Claim 6, Khan/Levesque discloses a method wherein the step of providing a bookmark management window comprises displaying a New Folder button, a Rename button, a Delete button, an OK button, and a Cancel button, wherein the operator may designate any bookmark in the temporary bookmark list as a selected bookmark, and wherein the method comprises the further steps of:

if the operator selects the New Folder button, prompting the operator to enter a new group name, and creating a new bookmark group having the new bookmark group name in the temporary bookmark list (Fig. 12, items 1200, 1206, 1208, and 702, Col. 11, and 16, lines 15 – 20 and 25 – 2, and 47 – 50; respectively, Khan);

if the operator selects the Rename button, prompting the operator to enter a new bookmark name (Fig. 9, item 902, Col. 15, lines 61 – 67, Khan), and renaming the selected bookmark with the new bookmark name (Col. 15, lines 35 – 38, Khan);

if the operator selects the Delete button, deleting the selected bookmark from the temporary bookmark list (Col. 21, lines 30 – 33, Khan);

if the operator selects the Cancel button, closing the bookmark management window (Col. 22, lines 46 - 50, Khan);

and wherein operator issues the instructions to save the temporary bookmark list by selecting the OK button (Fig. 7, item 702, Col. 15, lines 35 – 40, Khan).

Regarding Claims 7, Khan/Levesque discloses a method wherein the step of providing a bookmark management window further comprises displaying a Clean Up button, and wherein the method comprises the further step of:

If the operator selects the Clean Up button, removing from the temporary bookmark list any bookmarks for which the associated telecommunication network object no longer exists within the hierarchy of telecommunication network objects (Fig. 23, item 2300, Col. 21, lines 18 – 21, Khan).

Regarding Claims 9, Khan/Levesque discloses a computer-readable medium having instructions for using a plurality of bookmarks to manage network objects within network hierarchy in a network management system, the network hierarchy organized into a network management map having a plurality of layers, the computer-readable medium comprising:

instructions for associating each bookmark with a network object (Col. 21, lines 40 – 44, Abstract; Khan), in accordance with the object's position within the network hierarchy (Col. 11, lines 15 – 20, Khan; and Col. 12, lines 25 – 33, Levesque), the network object being selected from the list consisting of network elements, group of network elements (Col. 11, lines 63 – 67; Col. 12, lines 1 – 3; Khan; and Col. 16, lines

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52 – 58, Levesque), line cards (Col. 12, lines 25 – 33, Levesque), and ports (Col. 16, lines 64 – 67, Levesque);

instructions for organizing bookmarks corresponding to a layer of a network management map into a bookmark group (Col. 11, lines 63 – 67; Col. 12, lines 1 – 3; Khan; and Col. 7, lines 15 – 23; Col. 12, lines 25 – 33, Levesque);

instructions for organizing a plurality of bookmark groups into a hierarchy that corresponds to the network hierarchy (Col. 11, lines 15 – 20, Khan; and Col. 12, lines 25 – 33, Levesque);

instructions for storing the bookmarks and bookmark groups as a stored list (Col. 19, lines 25 – 34, Khan);

instructions for retrieving the stored bookmark list when the operator logs onto the network management system (Col. 23, lines 32 – 40; Col. 19, lines 25 – 34; “...a new window will open up with all of the user’s bookmarks visible...”; Khan);

instructions for displaying the stored bookmark list in a graphical user interface to allow the operator to manage the network objects (Col. 23, lines 32 – 40; Col. 19, lines 25 – 34; “...a new window will open up with all of the user’s bookmarks visible...”; Khan; and Abstract; Levesque);

instructions for responding to the operator’s selection of bookmarks from the stored bookmark list by providing information to allow the operator to manage network objects corresponding to the stored bookmark list (Col. 17, lines 51 – 60, Khan; and Abstract; Levesque); and

instructions for responding to the operator's management of a currently displayed network object that does not correspond to a bookmark in the stored bookmark list by adding a new bookmark to the stored bookmark list (Col. 17, lines 51 – 60, Khan; and Abstract; Levesque).

Regarding Claim 10, Khan/Levesque discloses a computer-readable medium wherein the instructions for storing the stored bookmark list comprise instructions for storing the stored bookmark list uniquely in association with the operator (Col. 12, and 19, lines 6 – 12, and 25 – 34; respectively, Khan).

Regarding Claim 11, Khan/Levesque discloses a computer-readable medium wherein the drop down menu further includes a menu command by which the operator can issue instructions to add a new bookmark to the stored bookmark list (Fig. 9, item 902, Col. 15, lines 61 – 67, Khan).

Regarding Claim 12, Khan/Levesque discloses a computer-readable medium further comprising:

instructions for displaying a bookmark management window including a temporary bookmark list initially identical to the stored bookmark list, in the event that the operator issues instructions to manage the bookmarks (Fig. 7, Col. 15, lines 34 – 38, Khan);

instructions for creating a bookmark group, in the event that the operator issues instructions to create a bookmark group (Col. 11, lines 15 – 20, and 25 – 2, Khan);

instructions for assigning one of the bookmarks in the temporary bookmark list to one of the bookmark groups, in the event that the operator issues instructions to assign one of the bookmarks in the temporary bookmark list (Col. 13, lines 7 – 8, and 18 – 20; wherein the step of creating a new node in the category tree corresponds to the step of assigning one of the bookmarks in the temporary bookmark list claimed; Khan); and

instructions for storing the temporary bookmark list as the stored bookmark list, in the event that the operator issues instructions to save the temporary bookmark list (Col. 13, lines 21 – 23; the addition is then finalized and included in the site directory; Khan).

Regarding Claim 13, Khan/Levesque discloses a computer-readable medium wherein the drop down menu further includes a command by which the operator can issue instructions to manage the bookmarks (Fig. 7, and 9, item 902, Col. 15, lines 34 – 38, and 61 – 67, Khan).

Regarding Claim 14, Khan/Levesque discloses a computer-readable medium wherein the instructions for providing a bookmark management window comprise instructions for displaying a New Folder button, a Rename button, a Delete button, an OK button, and a Cancel button, and the computer-readable medium further comprising:

instructions for allowing the operator to designate any bookmark in the temporary bookmark list as a selected bookmark (Col. 13, lines 7 – 8, and 18 – 20; wherein the

step of creating a new node in the category tree corresponds to the step of assigning one of the bookmarks in the temporary bookmark list claimed; Khan);

instructions for prompting the operator to enter a new bookmark group name and creating a new bookmark group having the new bookmark group name in the temporary bookmark list, in the event that the operator selects the New Folder button (Fig. 12, items 1200, 1206, 1208, and 702, Col. 11, and 16, lines 15 – 20 and 25 – 2, and 47 – 50; respectively, Khan)

instructions for prompting the operator to enter a new bookmark name (Fig. 9, item 902, Col. 15, lines 61 – 67, Khan) and renaming the selected bookmark with the new bookmark name, in the event that the operator selects the Rename button (Col. 15, lines 35 – 38, Khan);

instructions for deleting the selected bookmark from the temporary bookmark list, in the event that the operator selects the Delete button (Col. 21, lines 30 – 33, Khan); and

instructions for closing the bookmark management window, in the event that the operator selects the Cancel button (Col. 22, lines 46 - 50, Khan); and

wherein the instructions for storing the temporary bookmark list as the stored bookmark list are executed in the event that the operator selects the OK button (Fig. 7, item 702, Col. 15, lines 35 – 40, Khan).

Regarding Claim 15, Khan/Levesque discloses a computer-readable medium wherein the instructions for providing a bookmark management window further

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comprise instructions for displaying a Clean Up button, and the computer-readable medium further comprising:

instructions for removing from the temporary bookmark list any bookmarks for which the associated telecommunication network object no longer exists within the hierarchy of telecommunication network objects, in the event that the operator selects the Clean Up button (Fig. 23, item 2300, Col. 21, lines 18 – 21, Khan).

Regarding Claim 16, Khan/Levesque discloses a computer-readable medium wherein the instructions for storing the stored bookmark list comprise instructions for storing the stored bookmark list uniquely in association with the operator (Col. 12, and 19, lines 6 – 12, and 25 – 34; respectively, Khan).

Points Of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIOVANNA COLAN whose telephone number is (571)272-2752. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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